

From: [Watson, Rob](#)
To: [Bardo, Kenneth](#)
Subject: FW: Solutia, Sauget, IL - Response to IEPA Request for Additional Letter re Judith Lane Containment Cell
Date: Tuesday, January 7, 2014 4:23:58 PM

Ken,
FYI – a new year ushers in the restart of my review of the RCRA RAPP for Solutia’s JLCC.
Rob

From: Nightingale, Steve
Sent: Tuesday, January 07, 2014 12:25 PM
To: Rinaldi, Jerry
Cc: Moore, James K.; Watson, Rob; Myers, Terri
Subject: RE: Solutia, Sauget, IL - Response to IEPA Request for Additional Letter re Judith Lane Containment Cell

Thanks for the letter Jerry.

I have instructed our Permit Section staff to restart the review of the application.

Steve Nightingale
IEPA
Bureau of Land
Permit Section Manager
217/558-6213

From: Rinaldi, Jerry [<mailto:gmrina@eastman.com>]
Sent: Monday, December 16, 2013 1:12 PM
To: Nightingale, Steve
Cc: Watson, Rob; Smith, Clarence; Lake, Paul; Carson, Robert; Tanaka, Joan (tanaka.joan@epa.gov); linebaugh.stephanie@epamail.epa.gov; cisneros.jose@epamail.epa.gov; bardo.kenneth@epamail.epa.gov; Bumb, Cathleen S; Smith, Steven D - Contractor; Mark Haddock - Golder; Ken Berry - URS
Subject: Solutia, Sauget, IL - Response to IEPA Request for Additional Letter re Judith Lane Containment Cell

This e-mail is in response to IEPA’s 12/03/13 e-mail below.

For background, the first attachment is the related 04/09/13 Solutia letter issued in response to a 03/28/13 IEPA e-mail, and the second is the 08/20/13 USEPA letter that eventually followed and is referenced below.

The third attachment is Solutia’s response to IEPA’s current request.

I’ll close by repeating from my 09/13/13 e-mail below: After IEPA resumes its review of Solutia’s 03/30/12 revised RCRA RAPP application, please let me know if and when IEPA has any questions that Solutia and its consultants (included in “Cc” on this e-mail) can answer. As before, Solutia would also be interested in any projection that IEPA can offer as to when its application review will be completed.

G. M. (Jerry) Rinaldi
Solutia Inc.
575 Maryville Centre Drive
St. Louis, MO 63141
Phone 314-674-3312
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E-mail gmrina@eastman.com

From: Smith, Clarence [<mailto:Clarence.Smith@Illinois.gov>]
Sent: Tuesday, December 03, 2013 2:07 PM
To: Rinaldi, Jerry
Cc: Nightingale, Steve; Watson, Rob; Smith, Steven D - Contractor; Lake, Paul; Tanaka, Joan (tanaka.joan@epa.gov); Carson, Robert
Subject: RE: Call with Solutia 12/3 or 5
Importance: High

Mr. Rinaldi:

In discussions with Steve Nightingale, the issue appears to be associated with the statement in the August 20, 2013, USEPA letter to Illinois EPA regarding the transitioning of the site from CERCLA to RCRA. The statement is

“...Assuming Solutia and the other potentially responsible parties agree in a CERCLA Consent Decree that the JLCC will be managed in accordance with the final site Record of Decision, and that Solutia will be solely liable and responsible for the long-term operation and maintenance of the JLCC under RCRA and TSCA regulation, it may be possible to defer the regulation of the JLCC...”

While we know that any such CERCLA Consent Decree is years away from being finalized, Illinois EPA would like a letter from Solutia reaffirming that this is the long-term intention for the JLCC. I think that we all realize that there are no absolutes, but I think that such a letter would give a certain amount of surety in the expending of the necessary resources to review and finalize a RCRA RAPP permit. It is my understanding that this letter would be viewed as an assurance from Solutia that this statement is their intent.

Hope that this helps. If you should have any questions, need any additional information or would care to discuss this matter further, please let me know.

Respectfully,

CLS

Clarence L. Smith, Manager
Federal Site Remediation Section
Division of Remediation Management
Bureau of Land

Illinois Environmental Protection Agency
1021 North Grand Avenue, East
Post Office Box 19276
Springfield, Illinois 62794-9276

217-524-1655

From: Rinaldi, Jerry [<mailto:gmrina@eastman.com>]
Sent: Tuesday, November 26, 2013 4:21 PM
To: Smith, Clarence
Cc: Nightingale, Steve; Watson, Rob; Smith, Steven D - Contractor
Subject: Call with Solutia 12/3 or 5

While I was on vacation 11/22, you left me a voice message saying that you had some questions “unrelated to the Sauget cleanup” on “larger issues.” After you return from vacation 12/3, I propose that my Solutia CERCLA counterpart Steve Smith and I (remember: my responsibility is RCRA) call you any time on 12/3 or 12/5; please reply with the date and time that you’d like us to do so.

Meanwhile, I called Rob Watson today for an update on the communications below from two months ago; he said that IEPA and/or US EPA were still discussing. I’d like your input, either in response to this e-mail or when we talk next week.

Thanks,

G. M. (Jerry) Rinaldi
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E-mail gmrina@eastman.com

From: Watson, Rob [<mailto:Rob.Watson@illinois.gov>]
Sent: Thursday, September 19, 2013 2:21 PM
To: Rinaldi, Gerald M
Cc: Nightingale, Steve; Smith, Clarence; Bardo, Kenneth; mark_haddock@golder.com; kenneth.berry@urs.com; Smith, Steven D - Contractor; Moore, James K.
Subject: RE: Sauget Area I - Judith Lane Containment Cell CERCLA-to-RCRA-Deferral Proposal

Jerry,

No, IEPA has not resumed the review of the RCRA RAPP application – yet. We are still having some internal discussions regarding the identification of each activity that needs to be done to transfer the JLCC from CERCLA to RCRA. In particular, Steve Nightingale is concerned about the requirement that all responsible parties (PRPs) sign a CERCLA consent decree. We are reluctant to allocate the resources needed to review and public notice a RCRA permit application until we have a better understanding of the ramifications (if any) that the CERCLA consent decree referenced in the letter

might have on the RCRA permit process.

Having said that, I am confident we will be able to work through this and resume the review in the near future. I will definitely let you know when that happens.

Rob

From: Rinaldi, Gerald M [<mailto:gmrina@solutia.com>]
Sent: Friday, September 13, 2013 8:59 AM
To: Smith, Clarence; Watson, Rob
Cc: Nightingale, Steve; Bardo, Kenneth; mark_haddock@golder.com; kenneth.berry@urs.com; Smith, Steven D - Contractor
Subject: RE: Sauget Area I - Judith Lane Containment Cell CERCLA-to-RCRA-Deferral Proposal

CLARENCE, thanks for forwarding the attached letter because I had not received it until you did so. Could you elaborate on the couple of issues that IEPA is still working through with USEPA?

ROB, as "[US]EPA suggests," has IEPA "resume[d] review of the Solutia RCRA RAPP application"? Assuming so, please let me know if and when IEPA has any questions that Solutia and its consultants (included in "Cc" on this e-mail) can answer. As before, Solutia would also be interested in any projection that IEPA can offer as to when its application review will be completed.

Jerry

From: Smith, Clarence
Sent: Thursday, September 12, 2013 2:43 PM
To: Rinaldi, Gerald M
Cc: Nightingale, Steve; Watson, Rob; Clay, Doug; Phillips, Scott; Tanaka, Joan; Cisneros, Jose; Lake, Paul
Subject: RE: Sauget Area I - Judith Lane Containment Cell CERCLA-to-RCRA-Deferral Proposal
Importance: High

Jerry:

I am sorry, but I thought that you had received a copy of this letter [August 20, 2013, USEPA letter to IEPA]. Illinois EPA is still working through a couple of issues with USEPA, but I think that it is the collective opinion that we will proceed under the CERCLA Construct for the site (the Site I ROD is in process), while the concurrent review of the RCRA RAP is completed and the USEPA TSCA certification is issued.

At that point, and after the issues identified in the letter are addressed, the Judith Lane Landfill Cell will transition to the RCRA program.

If you should have any questions, or if I have misspoke, please let me know.

Respectfully,

CLS

Clarence L. Smith, Manager
Federal Site Remediation Section
Division of Remediation Management

Bureau of Land

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